

CITY OF GARDEN GROVE

INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal

From: Dave Bertka

Dept: City Manager

Dept: Fire

Subject: SPRING WEED/RUBBISH ABATEMENT

Date: February 23, 2010

OBJECTIVE

Staff is requesting that City Council adopt the attached Resolution regarding weed and rubbish abatement, authorizing the Spring 2010 Weed Abatement Program as provided for under Government Code Section 39500 et. seq.

BACKGROUND

The Fire Department administers the Weed Abatement Program for the City of Garden Grove, providing for the abatement of weeds, rubbish, and debris from vacant parcels of land within the city. The process is repeated twice a year, designated as a Fall and Spring Weed Abatement Program. The objective of the program is the removal of weeds, dirt, rubbish, and debris from vacant lots, since these represent a potential fire hazard to adjacent and surrounding properties and the community. At this time, staff is in the process of organizing the Spring 2010 Weed and Rubbish Abatement Program and has thoroughly surveyed the city, compiling an inventory of those vacant lots that qualify for the Spring 2010 Weed Abatement Program.

DISCUSSION

Under State Law as a city thereof, a resolution is required that provides a determination by the City Council that a nuisance exists on a subject property, and which describes the parcel(s) that need to be abated. The "Declaration of Public Nuisance" Resolution is attached herewith for your review. As a required part of the Resolution, a description of qualifying parcels and information regarding the ownership of each parcel is included as "Exhibit A, Weed Notice-Spring 2010". Upon adoption of this resolution, all property owners listed on Exhibit A, will be notified that March 24, 2010, will be the final day to have their property cleared, after which an inspection by the City, for compliance on their part, will take place.

The Weed Abatement Official and the City's Contractor will again survey the City on March 30, 2010, making on-site inspections as to whether the listed parcel sites have been cleared. The initial Exhibit A, list of parcels, will then be updated, retaining those properties still found to be a public nuisance. This list will be distributed to non-compliant property owners prior to the April 13, 2010, City Council Meeting, notifying them of the meeting and Public Hearing during which

protests, if any, will be heard from subject property owners. Prior to this meeting, the City Council will receive another staff report, including an updated Exhibit A, and further requests for City Council action regarding the Weed Abatement Program.

FINANCIAL IMPACTS

Action taken, as requested by the Fire Department, will not adversely impact the City financially, since program costs and the staff time required to administer the Weed Abatement Program have been included in the Fire Department's budget for the current fiscal year. It is anticipated that costs will be recaptured through future invoicing of non-compliant property owners, as well as the attachment and subsequent satisfaction of property liens, (in the case of non-payment), as required.

RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution and proceed with the weed abatement process as required under Government Code Section 39500 et. seq., which also requires mailing of written Weed Abatement Notices to property owners, as listed in the last Equalized Assessment Roll and as officially identified in Exhibit A, dated February 23, 2010.


Dave Bertka
Fire Chief



By: SABRINA SOLTIS
Senior Fire Protection Specialist
Weed Abatement Official

Recommended for Approval


Matthew Fertal
City Manager

Attachments: Resolution with Exhibit A—Spring 2010

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING THAT A NUISANCE EXISTS IN CONNECTION WITH THE EXISTENCE OF WEEDS, RUBBISH, AND REFUSE ON CERTAIN PROPERTIES WITHIN THE CITY OF GARDEN GROVE AND AUTHORIZING THE CITY CLERK TO MAIL A WRITTEN NOTICE OF THE NUISANCE(S) IN ACCORDANCE WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 39566 AND 39567.1

WHEREAS, the City Council, by virtue of Government Code Section 39561, is authorized to declare by Resolution as public nuisances and abate all weeds growing on the streets, sidewalks, or private property in the city and all rubbish, refuse, and dirt upon parkways, sidewalks, or private property in the city; and

WHEREAS, under the provisions of Government Code Section 39562, the Resolution must refer to the street location by its common name and describe the property upon which or in front of which the nuisance exists by giving its parcel number and address, according to the Official or City assessment map.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDEN GROVE that a public nuisance is hereby deemed to exist and needs to be abated as a result of weeds or rubbish or refuse or dirt, growing or being stored on parcels of land described in the Exhibit "A" dated February 23, 2010; and

BE IT FURTHER RESOLVED that the City Clerk be and hereby is directed to mail written Notices pursuant to Government Code Sections 39566 and 39567.1 to each person to whom such property described in Exhibit "A" is assessed in the last Equalized Assessment Roll available as of the date the Resolution was adopted by the City Council.

Exhibit A
Weed Notice - Spring 2010

<u>Dist.</u>	<u>Parcel No.</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Address</u>
**	2121 08961339	10712 Katella Ave	C&W Properties	10712 Katella
**	2221 8953128	10921 Woodward Lane		10921 Woodward Lane
	2314 13134504	7131 Lampson Ave	Synglas, George K.	7131 Lampson
	2319 13312215	9972 Catherine Ave	Joe Ledesma	5423 W 5th St
**	2417 21509121	8561 Stanford Ave	A.L. Norman, Inc.	11832 Steele Dr.
	2422 09017207	12942 Civic Center Dr	Buccella, Franklin J.	3541 Courtside Cir.
	2422 09017208	12952 Civic Center Dr	Buccella, Franklin J.	3541 Courtside Cir.
**	2521 09909105	10872 Garden Grove Blvd.	Steve Le	P.O. Box 4505
	2522 10001344	11362 Garden Grove Blvd.	Thanh Bui	11422 Garden Grove Blvd.
	2522 10003238	11392 Garden Grove Blvd.	Thanh Bui	11422 Garden Grove Blvd.
	2522 10010141	13326 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr
	2522 10010140	13328 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr
	2617 097-574-02	13501 Magnolia St	Best California Gas Ltd.	13116 Imperial Hwy
	2721 09949135	10666 Westminster Ave	Spengler, Donald H.	10666 Westminster Ave.